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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/678,400	10/03/2003	Robert M. Congdon	LOT9-2003-0027-US1 (7321-	3520
46321 7590 11/27/2007 CAREY, RODRIGUEZ, GREENBERG & PAUL, LLP STEVEN M. GREENBERG 950 PENINSULA CORPORATE CIRCLE SUITE 3020 BOCA RATON, FL 33487			EXAMINER EL CHANTI, HUSSEIN A	
			ART UNIT 2157	PAPER NUMBER
			MAIL DATE 11/27/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/678,400	CONGDON ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Hussein A. El-chanti	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 September 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

1. This action is responsive amendment received on sep. 16, 2007. Claims 1 and 9 were amended. Claims 1-14 are pending examination.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-14 are rejected under 35 U.S.C. 102(e) as being anticipated by DeAnna et al., U.S. Patent No. 6,947,943 (referred to hereafter as Anna).

As to claim 1, Anna teaches a collaborative messaging system, a mail server cell comprising:

a logical grouping of application server nodes disposed within an application server (see col. 5 lines 46-60, col. 7 lines 7-35 and col. 3 lines 64-col. 4 lines 7, the Zeosphere server has a plurality of applications for communicating with a plurality of servers and devices);

an Internet Message Access Protocol (IMAP) compliant mail server executing in a computer coupled to said logical grouping of application server nodes (see col. 15

lines 5-15 and col. 16 lines 28-47, the Zeosphere server has an IMAP compliant application coupled to the plurality of other applications); and,

at least one data store configured for storing electronic mail messages processed in said IMAP compliant mail server (see col. 15 lines 43-54, the Zeosphere has a Mail receiver i.e. "data store" that stores messages).

As to claim 2, Anna teaches the mail server cell of claim 1, wherein said IMAP compliant mail server comprises a simple mail transfer protocol (SMTP) inbound request handler (mail receiver 173, fig. 4), an SMTP outbound request handler (mail sender 175, fig. 4), and a set of IMAP services (applications 171, 172 and mail processor, fig. 4) coupled to said SMTP inbound and outbound request handlers (see fig. 4 and col. 16 lines 28-54).

As to claim 3, Anna teaches the mail server cell of claim 1, wherein said IMAP compliant mail server comprises a set of platform independent classes operable in a virtual machine environment (see col. 3 lines 50-60, Zeosphere server is implemented in a virtual machine environment).

As to claim 4, Anna teaches the mail server cell of claim 1, wherein said virtual machine environment is the Java virtual machine environment (see col. 4 lines 9-20 and col. 3 lines 50-60, the Zeosphere server is implemented in a JVM environment).

As to claim 5, Anna teaches the mail server cell of claim 4, wherein said IMAP compliant mail server comports with the J2EE specification (see col. 4 lines 9-20, J2EE implementation).

As to claim 6, Anna teaches the mail server cell of claim 1, further comprising a communicative coupling to authentication services provided through said application server (see col. 8 lines 4-9 and col. 5 lines 46-55).

As to claim 7, Anna teaches the mail server cell of claim 1, further comprising a communicative coupling to auto-provisioning services provided through the collaborative messaging system (see col. 7 lines 55-60, the Zeosphere is uses iMessenger to send and receive messages).

As to claim 8, Anna teaches the mail server cell of claim 1, further comprising a communicative coupling to a portal/portlet interface to said IMAP compliant mail server (see col. 16 lines 28-40).

As to claim 9, Anna teaches a collaborative messaging application comprising:

- an Internet Message Access Protocol (IMAP) compliant mail server executing in a computer configured for operation within an n-tier enterprise environment provided by an application server (see col. 14 lines 31-45, col. 15 lines 5-15 and col. 16 lines 28-47, Zeosphere server is an IMAP compliant server that is based on a three-tier application);
- a markup language driven interface to said IMAP compliant mail server disposed within a Web container in said application server (see col. 14 lines 5-65, the Zeosphere uses a GUI that is programmed using XML i.e. "markup language");

a data store configured to store messages process by said IMAP compliant mail server (see col. 15 lines 43-54, the Zeosphere has a Mail receiver i.e. "data store" that stores messages); and,

a directory configured to provide configuration and addressing data to said IMAP compliant mail server (see col. 15 lines 43-54 and col. 13 lines 50-col. 14 lines 30).

As to claim 10, Anna teaches the collaborative messaging application of claim 9, wherein said IMAP compliant mail server comprises a set of platform independent classes programmed for execution in a virtual machine and specifically operable in said n-tier enterprise environment (see col. 4 lines 9-20 and col. 3 lines 50-60, the Zeosphere server is implemented in a JVM environment).

As to claim 11, Anna teaches the collaborative messaging application of claim 10, wherein said virtual machine is a Java virtual machine and wherein said n-tier enterprise environment is J2EE (see col. 4 lines 9-20 and col. 3 lines 50-60, the Zeosphere server is implemented in a JVM environment using J2EE).

As to claim 12, Anna teaches the collaborative messaging application of claim 9, further comprising an administrative console coupled to a messaging administrative plug-in to said console facilitate management of said IMAP compliant mail server, said markup language driven interface, said data store and said directory (see col. 4 lines 59-col. 5 lines 25 and col. 5 lines 61-col. 6 lines 24).

As to claim 13, Anna teaches the collaborative messaging application of claim 9, further comprising authentication logic disposed within said application server and

communicatively linked to said IMAP compliant mail server for use by said IMAP compliant mail server (see col. 8 lines 4-9 and col. 5 lines 46-55).

As to claim 14, Anna teaches the collaborative messaging application of claim 9, further comprising auto-provisioning logic disposed within the collaborative messaging application and communicatively linked to said IMAP compliant mail server for use by said IMAP compliant mail server (see col. 16 lines 25-55).

3. Applicant's arguments have been fully considered but are not persuasive. Applicant argues in substance that Anna does not disclose an IMAP server coupled to a plurality of application server nodes.

In response, Anna teaches a system and method for managing device application servers to provide server functionalities to PDA devices (see abstract). The system also comprises an IMAP server 10 which is connected to other nodes on the network and other applications on the network such as mail sender application 175 and mail receiver application 173 (see fig. 4 and col. 14 lines 66-col. 15 lines 15). Therefore Anna teaches the limitations as claimed.

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hussein A. El-chanti whose telephone number is (571)272-3999. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571)272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hussein Elchanti

Nov. 19, 2007

  
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